S
365.6
G1rgmft
1988

MONTANA STATE LIBRARY
S 365.6 G1rgmft 1988 c.1 Elenbaas
Misdemeanor/felony theft value limits, a
3 0864 00064139 2

MISDEMEANOR/FELONY THEFT VALUE LIMITS: A STATE REVIEW

A Report Prepared for the Criminal Justice and Corrections Advisory Council

STATE DOCUMENTS COLLECTION
OCT 23 1989
MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620

By David Elenbaas, Staff Researcher

March 1988

Section 45-6-301, MCA, defines the offense of theft and states the penalties that may be imposed. The value of the property stolen determines whether the offense is classified as a misdemeanor or a felony. The penalty for misdemeanor theft is a fine up to $500 or imprisonment in the county jail for a period not to exceed six months, or both. The penalty for felony theft is a fine up to $50,000 or imprisonment in the state prison for a period not to exceed ten years, or both.

Prior to 1973, theft of property with a value greater than $50 was treated as a felony in Montana. From 1973 to 1983, theft of property with a value greater than $150 was treated as a felony. The 1983 Legislature increased the value limit to $300, and it has not been changed since. This brief report compares Montana's theft value limits with those in other states.

Looking at the other states, we can make several comparisons. The value limits around the country range from a low of $0 in Indiana to a high of $2,000 in Pennsylvania. The average value limit nationwide is $351, which is $51 higher than Montana's $300 limit. The most frequently occurring limit is $500, with 12 states having that limit. In surrounding states, Idaho has a value limit of $150, Wyoming of $500, South Dakota of $200, and North Dakota of $500.

PLEASE RETURN

Twenty-five states have multiple classes of felony theft, depending on the value of the stolen property. For example, in North Dakota, stealing property with a value greater than $10,000 is a class B felony, while stealing property with a value greater than $500, but not exceeding $10,000, is a class C felony. Montana has one class of felony theft.

The following chart lists each state and its respective misdemeanor/felony theft value limit.

MISDEMEANOR/FELONY THEFT VALUE LIMITS
BY STATE, 1987

STATE	VALUE LIMIT	MULTIPLE CLASSES	STATE	LIMIT	MULTIPLE CLASSES
Alabama	$ 100	Y	Montana	$ 300	N
Alaska	$ 500	Y	Nebraska	$ 300	Y
Arizona	$ 100	Y	Nevada	$ 100	N
Arkansas	$ 200	Y	New Hampshire	$ 500	Y
California	$ 400	N	New Jersey	$ 200	Y
Colorado	$ 300	Y	New Mexico	$ 250	Y
Connecticut	$1000	Y	New York	$1000	Y
Delaware	$ 500	N	North Carolina	$ 400	N
D.C.	$ 250	N	North Dakota	$ 500	Y
Florida	$ 100	Y	Ohio	$ 300	Y
Georgia	$ 500	N	Oklahoma	$ 50	N
Hawaii	$ 200	N	Oregon	$ 500	Y
Idaho	$ 150	N	Pennsylvania	$2000	N
Illinois	$ 300	N	Rhode Island	$ 500	N
Indiana	$ 0	Y	South Carolina	$ 200	N
Iowa	$ 500	Y	South Dakota	$ 200	N
Kansas	$ 100	N	Tennessee	$ 200	N
Kentucky	$ 100	N	Texas	$ 750	Y
Louisiana	$ 100	Y	Utah	$ 250	Y
Maine	$ 500	Y	Vermont	$ 500	N
Maryland	$ 300	N	Virginia	$ 200	Y
Massachusetts	$ 100	N	Washington	$ 250	Y
Michigan	$ 100	N	West Virginia	$ 200	N
Minnesota	$ 250	Y	Wisconsin	$ 500	Y
Mississippi	$ 100	N	Wyoming	$ 500	N
Missouri	$ 150	N			

Source: Fifty state statute search.